

REMARKS

Applicant acknowledges and thanks the Examiner for the telephone interview conducted on October 20, 2004.

This amendment is responsive to the Office Action mailed July 23, 2004 and to the Advisory Action mailed November 8, 2004 in connection with the above identified patent application. In that Action, the drawings were objected to for, according to the Examiner, not showing all of the features specified in the claims. Claims 1, 11 – 18 and 20 – 31 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and failing to comply with the enablement requirement. Claims 30 and 31 stand rejected under 35 U.S.C. § 112, first paragraph, as reciting new matter. Claims 12 – 17 and 20 – 31 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

As to the art rejections, claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Beppu et al. (U.S. Patent No. 5,008,573). Claims 1, 11 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Maughan et al. (U.S. Patent No. 5,365,388). Claims 1, 11 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takahashi (JP 05-199,721). Claims 12, 15 – 18, 24 and 26 – 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of von der Heide et al. (U.S. Patent No. 4,647,803). Claims 13, 14 and 25 stand rejected Takahashi in view of von der Heide et al. in further view of Norton et al. (GB 2,293,695). Claims 20 – 22 stand rejected von der Heide et al. in view of Komatsu (JP 09-149,602). Lastly, claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over von der Heide et al. in view of Komatsu.

THE NON-ART REJECTIONS

The Drawings:

Referring to the Office Action once again, the drawings were objected to for, according to the Examiner, not showing all of the features specified in the claims. More particularly, the Examiner took the position that "the stator supported exclusively or solely by the base plate" was claimed but not shown in the drawing figures. Similarly, the Examiner took the position that "the stator supported without connection to the housing", "the stator supported exclusively by the base plate" and "the substantial

portion and substantially all of the baseplate not connecting the housing" were claimed but not shown in the drawing figures.

The objection to the drawings is herein traversed. The claims have been previously amended to omit the language of the stator being supported exclusively or solely by the base plate. Likewise, the language of the stator being supported "without connection to the housing" being supported "exclusively by the base plate" and other language suggested by the Examiner to be unsupported has been canceled from the claims. Accordingly, it is respectfully submitted that the drawings are in proper form and show every feature of the invention specified in the claims.

The Claims:

Claims 1, 11 – 18 and 21 – 31 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and failing to comply with the enablement requirement. Claims 30 and 31 stand rejected under 35 U.S.C. § 112, first paragraph, as reciting new matter. Claims 12 – 17 and 20 – 31 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Regarding the above written description and enablement rejections, the amendments to the claims remove the language of the stator being "supported exclusively or solely by the base plate" and the stator being "supported without connection to the housing." Applicant respectfully submits that claims 1, 11 – 18 and 20 – 31 comply with the written description and enablement requirements and are in proper condition for allowance. Furthermore, claims 30 and 31 have been amended to incorporate language that is supported in the specification and those claims now comply with the written description and enablement requirements. No new matter has been introduced. Therefore, it is respectfully submitted that claims 30 and 31 are in condition for allowance.

The rejections of 35 U.S.C. § 112, second paragraph, are respectfully traversed. The of claims have been amended to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The language of the stator being supported solely or exclusively by the base plate with no connection to the housing has been removed. Also, the language "a substantial portion" and "substantially all" has been amended to more particularly point out and distinctly claim

the matter of the present invention. Claims 12 – 17 and 20 – 31 are now in proper form and in condition for allowance.

THE ART REJECTIONS

Claim 1:

Independent claim 1 recites an electromotive drive comprising a housing, a stator, and a base plate. The housing has a shaft support in which a shaft of a rotor is rotationally mounted. The stator has drive windings and is traversed by the shaft support. The base plate supports the stator relative to the housing. The base plate is fastened to the housing and includes an extrusion-coated punched-out grid whereby transmission of a torque moment from the stator to the housing occurs via the base plate fastened in the housing, and whereby high frequency vibrations of transmitted torque are dampened by the punched-out grid.

Applicant respectfully submits that none of the art cited by the Examiner teaches or fairly suggests an electromotive drive including a housing, a stator, and a base plate including an extrusion-coated punched-out grid. The base plate supports the stator relative to the housing and is fastened to the housing whereby high frequency vibrations of transmitted torque are dampened by the punched-out grid forming the base plate. The base plate 19 has an inherent flexibility which provides dampening qualities that are particularly evident when the base plate 19 is not rigidly connected over its entire area with the housing 3 but, rather, is connected only in certain selected area or spots such as by screws. Applicant respectfully submits that none of the cited references teach or fairly suggest the electromotive drive of the present application and that independent claim 1 thus distinguishes over the cited references and is therefore in condition for allowance.

Claims 11-18 and 20-23:

The rejection of independent claim 11 is hereby traversed. Claim 11 recites an electromotive drive comprising a housing, a base plate, a stator, a shaft, and a rotor attached to the shaft and surrounding the stator. The base plate is attached to the housing at selected areas of the base plate less than an entire area of the base plate. In addition, the base plate comprises an extrusion-coated punched-out grid. The

stator surrounds the shaft support and is attached to the base plate whereby torque transmission occurs from the stator to the housing through the base plate. Thereby, vibrations induced by the torque transmission are dampened by the punched-out grid.

As pointed out above, none of the cited references teach or fairly suggest an electromotive drive having a base plate formed as a punched-out grid. The base plate is preferably attached to the bottom of the housing wherein torque is transmitted from the stator to the housing via the base plate. Also, high frequency vibrations of torque transmission are dampened by the punched-out grid. For at least these reasons independent claim 11 and claims 12–18 and 20-23 which depend therefrom distinguish over the cited art and are in condition for allowance.

Claims 24-27:

Independent claim 24 recites an electromotive drive comprising a housing, a shaft support extending from the housing, a shaft rotatably disposed within the shaft support, a rotor attached with the shaft, a base plate attached to the housing at selected areas of the base plate, the base plate including an extrusion-coated punched-out grid, a stator spaced apart from the shaft support and being attached to the base plate whereby a torque moment is transmitted from said stator to said housing through the base plate whereby high frequency torque variations are dampened by dampening properties of the punched-out grid forming the base plate.

None of the art cited by the Examiner teaches or suggests a base plate of the type recited in claim 24 or arranged connecting a stator with a housing in the manner set forth in claim 24. More specifically, none of the cited references disclose the base plate of present application. Therefore, the Applicants respectfully submit that independent claim 24 and claims 25 – 27 which depend therefrom are distinguished and in condition for allowance.

Claims 28-31:

Independent claim 28 recites a pump motor operative in conjunction with a pump for a hydraulic system of a motor vehicle. The recited pump motor comprises a housing including an elongate shaft support, a stator surrounding the shaft support, a base plate providing a route of torque transmission between the stator and the housing

and providing dampening between the stator and the housing, the base plate including an extrusion-coated punched-out grid and a printed conductor plate, a shaft rotatable within the shaft support, a rotor attached with the shaft, and a flexible coupling disposed between the stator and the shaft support.

Regarding independent claim 28, for at least the reasons stated above concerning independent claims 1, 11 and 24, it is respectfully submitted that independent claim 28 and claims 29–31 dependent therefrom distinguish over the cited references and are in condition for allowance.

For at least the above reasons, applicants respectfully submit that each of independent claims 1, 11, 24, and 28 are patentably distinct over the art of record. Independent claims 1, 11, 24, and 28 and their respective dependent claims are therefore allowable over the art of record.

Allowance of all pending claims and early notice to that effect is respectfully requested.

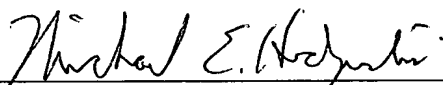
CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1 and 11-18 and 20-31) are now in condition for allowance.

Respectfully submitted,

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November 30, 2004
Date



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